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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,491	10/16/2003	Atsuki Kasashima	Q77963	5369
7590 09/23/2004 SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213			EXAMINER HUNTER, ALVIN A	
			ART UNIT 3711	PAPER NUMBER

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/685,491	Applicant(s) KASASHIMA ET AL. CM	
	Examiner Alvin A. Hunter	Art Unit 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10,13 and 14 is/are rejected.
- 7) ☒ Claim(s) 9,11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 does not make clear what is mean by type. Clarity needed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-8, 10, 13 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Ogg (USPN 6290615).

Ogg shows a golf ball having projections (40), or annular raised ridges protruding from the spherical surface wherein the ridges intersecting each other (See Figure 4, 5, and 6).

In regards to claim 3, Figure 4 shows the ridges of equal sizes intersecting each other.

In regards to claim 4, Figure 1 shows ridges of different sizes intersecting each other.

In regards to claim 5, Ogg discloses a golf ball having a spherical surface which is integrally provided with a plurality of annular raised ridges wherein at least one annular ridge having a relatively small diameter disposed inside an annular ridge having a relatively large diameter (See Figure 2 and Column 6, lines 36 through 49).

In regards to claim 6, Figures 4A, 5, and 6 show ridges having an apex (50), or arcuate contoured top.

In regards to claim 7, the radius of a convex section (56), or radius of curvature, is 0.0275 in. to 0.0350 in., or 0.7 to 0.9mm (See Figure 8 and Column 6, lines 23 through 34).

In regards to claim 8, the height of the ridges 0.007 in, or 0.18 mm (See Column 6, lines 1 through 22).

In regards to claim 10, Figure 4 shows at least some of the annular ridges intersecting with each other to define small zones of complex shapes on the spherical surface.

In regards to claim 13, Figure 4 shows the annular ridges composed of at least one type.

In regards to claim 14, Figure 1 shows the total of annular ridges being at least 50.

Allowable Subject Matter

Claims 9, 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 6/21/2004 have been fully considered but they are not persuasive. Applicant argues that Ogg does not anticipate the present invention. The examiner disagrees. The disclosure implies that the space created in between the annular ridges are dimples. Furthermore the applicant does not claim any dimples associated with the instant invention. Furthermore, the term annular is defined as forming a ring. A ring is defined as an encircling arrangement which is not limited to being a circle. If applicant wants to claim the ridges being circular, it should be claimed as such. Applicant also argues that Ogg does not teach the ridges intersecting each other. Under the Summary of the Invention, lines 45 through 47, of Ogg, it explicitly states that the ridges intersect each other. Furthermore, it is shown within the drawing that complex shapes are created from the intersection of the ridges. For these reasons, the above action has been taken.

Argument regarding Sullivan and Shimosaka are moot due to the amending of the claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is 703-306-5693. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich, can be reached on 703-308-1513. The fax phone


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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AH

Alvin A. Hunter, Jr.


GREGORY WDOVICH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700